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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,206	01/17/2006	Toshio Mikiya	10210/25	5078
757 7590 10/10/2008 BRINKS HOFER GILSON & LIONE P.O. BOX 10395 CHICAGO, IL 60610				
EXAMINER				
RIVELL, JOHN A				
ART UNIT		PAPER NUMBER		
3753				
MAIL DATE		DELIVERY MODE		
10/10/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/520,206

Applicant(s)

MIKIYA ET AL.

Examiner

JOHN RIVELL

Art Unit

3753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/17/06 (application).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4/1, 2, 5/1, 2, 6/5/1, 6/5/2 is/are rejected.
- 7) ☒ Claim(s) 3, 4/3, 5/3, 6/5/3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/28/04 & 7/7/05 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 07072005, 07202005
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☒ Other: IDS: 09182006, 08012007

Acknowledgment is made of applicant's claim for foreign priority based on applications filed in Japan on May 12, 2003 (App. No. 2003-133618) and June 28, 2002 (App. No. 2002-189142). It is noted, however, that applicant has not filed a certified copy of the Japanese applications as required by 35 U.S.C. 119(b).

Figures 15 and 16 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4/1, 5/1, and 6/5/1 are rejected under 35 U.S.C. §102 (b) as being anticipated by Giesler (U. S. Pat. No. 5,413,309).

The patent to Giesler discloses a "female coupling member (generally at 18) in a pipe coupling having a female coupling member (20) and a male coupling member (21) that is inserted into and connected to said female coupling member (20), said female coupling member (20) comprising: a fluid passage (along axis 117) that has a first end

(at 101) for connecting to a conduit and a second end (at 42) for connecting to the male coupling member (21), and a valve (98), provided within said fluid passage, that is moveable between an open position that permits the flow of a fluid between the first-end side and the second-end side of said fluid passage, and a closed position that blocks the flow of fluid, wherein, said valve (98) is provided with a purge flow path (134) that allows said second-end side (at 42) of said fluid passage to communicate with the outside (at 112) when said valve (98) is in said closed position (see fig. 3), and that is closed when said valve (98) is in said open position" as recited.

Regarding claim 4/1, in Giesler "a hole (at 51 is) formed such that it passes in a radial direction through the peripheral wall (25) of said female coupling member (20) that demarcates the flow path on the second-end side, a locking member (ball 49) that is mounted within said hole (51), that is moveable in the radial direction of said female coupling member (20), and that can be displaced between: a locked position that engages the male coupling member (21) inserted within said female coupling member and secures said male coupling member (21) to said female coupling member (20, see fig. 5), and an unlocked position where the engagement with said male coupling member (21) is released and, thus, the securing of said male coupling member (21) to said female coupling member (20) is released, a sleeve (30) that is slidably mounted to the outside periphery of the peripheral wall of said male coupling member (21), said sleeve (30) being slidable between: a first position where said locking member (49) is pushed inward in the radial direction and said locking member (49) is put into said locked position, and a second position where the pushing of said locking member (49) is

released toward the side of said valve (98) in comparison to said first position, thus permitting said locking member (49) to assume said unlocked position, a spring (34) that urges said sleeve (30) toward said first position, a cam (133) attached to said valve (98), said cam (133) being adapted to engage said sleeve (30) and block said sleeve (30) from being moved to said second position when said male coupling member (21) is inserted into said female coupling member (20) and said sleeve (30) is in said first position, when said valve body (98) is moved from said closed position to said open position" as recited.

Regarding claim 5/1, in Giesler "a first hole (51) formed so as to pass in a radial direction through the peripheral wall (25) of said female coupling member (20) that demarcates the flow path on said second-end side, a locking member (ball 49) that is mounted within said first hole (51), that is moveable in the radial direction of said female coupling member (20), and that can be displaced between: a locked position that engages the male coupling member (21) inserted within said female coupling member (20) and secures said male coupling member (21) to said female member (20, see fig. 5), and an unlocked position where the engagement with the male coupling member (21) is released and the securing of the male coupling member (21) to the female coupling member (20) is released, a sleeve (30) that is slidably mounted to the outside periphery of the peripheral wall of said male coupling member (21), said sleeve (30) being slidable between: a first position where said locking member (49) is pushed inward in the radial direction and said locking member (49) is put into said locked position (fig. 5), and a second position where the pushing of said locking member (49) is

released toward the side of said valve (98) in comparison to said first position, thus permitting said locking member (49) to assume said unlocked position, a first spring (34) that urges said sleeve (30) toward said second position, a second hole (32) formed so as to pass in a radial direction through said peripheral wall of said female coupling member (20), a securing member (31) that is mounted within said second hole (32) so as to be moveable in the radial direction, said securing member (31) being movable between: a secured position that engages said sleeve (30) when at said second position and blocks said sleeve (30) from moving to said first position, and an unsecured position where said securing member (31) is moved from said secured position toward the inside in the radial direction, permitting said sleeve (30) to move toward said first position, a securing member holding member (sleeve 39) that is mounted within the fluid passage on said second-end side, that can be moved between: a first position that holds said securing member (31) in said securing position, and a second position more toward the side of said valve (98) than said first position, that permits said securing member (31) to assume said unsecured position, said securing member (31) being moved to said second position, when moved by a male coupling member (21) inserted into said female coupling member (20) as the male coupling member (21) is connected to said female coupling member (20), and a second spring (43) that urges said securing member (31) holding member (39) toward said first position" as recited.

Regarding claim 6/5/1, in Giesler, "a cam (133) is attached to said valve (98) and engages said sleeve (30), and said cam (133) is such that: when said male coupling member (21) is inserted into said female coupling member (20) and is at a position

connected to said female coupling member (20), when said valve body (98) is moved from said closed position to said open position, said cam (133) moves said sleeve (30) from said second position to said first position against said first spring (34), and when said valve body (98) is moved from said open position to said closed position, said first spring (34) moves said sleeve (30) from said first position to said second position, but when said male coupling member (21) is not inserted into the female coupling member (20), the movement of said valve body (98) from said closed position to the open position is prevented by the engagement of said sleeve (30)" as recited.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 2, 4/2, 5/2 and 6/5/2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giesler (U. S. Pat. No. 5,413,309) in view of Modrin (U. S. Pat. No. 3,186,436).

The patent to Giesler discloses all the claimed features, including "a valve body mounting hole provided so as to cross said fluid passage" receiving valve but does not disclose "a gasket having a through hole aligned with and communicating with said fluid

passage, wherein: said valve body is cylindrical in shape, is mounted coaxially within said valve body mounting hole, is rotatable about its centerline between said open position and closed position, and has an outside peripheral surface that slides in tightly sealing contact with said gasket while rotating between said open position and closed position, said purge flow path has an inside opening at one end that is open to said outside peripheral surface and an outside opening at the other end that communicates to the outside of said pipe coupling, where said inside opening is closed by tightly sealing engagement to said gasket when said valve body is in said open position, but is released from this tightly sealing engagement when said valve body is in said closed position, and thus communicates with the second-end side of said fluid passage”.

The patent to Modrin discloses that it is known in the art to employ a cylindrical supply and exhaust type plug valve including “a gasket (15) having a through hole (at 7, 8) aligned with and communicating with (a) fluid passage (through the valve), wherein: said valve body (1) is cylindrical in shape, is mounted coaxially within (its) valve body mounting hole, is rotatable about its centerline between said open position and closed position, and has an outside peripheral surface that slides in tightly sealing contact with said gasket while rotating between said open position and closed position, (a) purge flow path (13) has an inside opening at one end (14) that is open to said outside peripheral surface (of the plug) and an outside opening (12) at the other end that communicates to the outside of said pipe coupling, where said inside opening (14) is closed by tightly sealing engagement to said gasket (15) when said valve body (1) is in said open position, but is released from this tightly sealing engagement when said valve body (1) is in said closed position (see fig. 2), and thus communicates with the second-end side of said fluid passage” for the purpose of perfecting fluid tight reception of the plug type supply and exhaust valve within the valve receiving bore of the valve body 2.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to employ in Giesler a typical plug type supply and exhaust valve including a sealing gasket between the plug proper and the receiving bore for the purpose of perfecting fluid tight reception of the plug type supply and exhaust valve within the valve receiving bore of the valve body as recognized by Modrin.

Claims 3, 4/3, 5/3 and 6/5/3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN RIVELL whose telephone number is (571)272-4918. The examiner can normally be reached on Mon.-Fri. from 6:00am-2:30pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Huson can be reached on (571) 272-4887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/John Rivell/
John Rivell
Primary Examiner
Art Unit 3753**

j.r.